

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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JAMES PETTY, #124 252

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Plaintiff,

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v.

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2:06-CV-639-WKW

RAY B. FINEDOR, *et al.*,

\*

Defendants.

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**ORDER**

It appears that service has not been perfected on Defendant Hardy. If a person has not been served, he or she is not a party to this lawsuit except in very unusual circumstances. Consequently, in order to maintain litigation against Defendant Hardy, Plaintiff must furnish the clerk's office with a correct address for this individual. Accordingly, it is ORDERED that:

1. On or before August 28, 2006 Plaintiff shall furnish the clerk's office with the correct address for Defendant Hardy. Plaintiff is advised that the court will not continue to monitor this case to ensure that the defendant he wishes to sue has been served. This is Plaintiff's responsibility;

2. Plaintiff is cautioned that if he fails to comply with this order, Defendant Hardy will not be served, he will not be a party to this cause of action, and this case will proceed only against those defendants on whom service is perfected. *See* Rule 4(m), *Federal Rules*

*of Civil Procedure.*

Done, this 14<sup>th</sup> day of August 2006.

/s/ Delores R. Boyd  
DELORES R. BOYD  
UNITED STATES MAGISTRATE JUDGE